

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEAR OF GOD, LLC,

Plaintiff,

v.

THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No. 24-cv-12434

Judge John J. Tharp, Jr.

Magistrate Judge Laura K. McNally

**PLAINTIFF’S SUPPLEMENT TO ITS MOTION FOR ENTRY
OF AN *EX PARTE* TEMPORARY RESTRAINING ORDER [14]**

Plaintiff Fear of God, LLC (“Plaintiff”) submits this supplement to its Motion for Entry of an *Ex Parte* Temporary Restraining Order [14] requesting that this Case remain on the Court’s calendar.¹ Alternatively, Plaintiff requests the Court to sever Defendant Nos. 54, 55, 56, 57, 58, 59, 63, 65, 67, 76, 77, 79, 80, 82, 83, 88, 89, 92, 95, 96, 97, 98, 103, 106, 107, 109, 110, 111, 112, and 113 into individual cases and reassign those thirty cases to Judge Sara L. Ellis. The remaining Defendants can be dismissed without prejudice.

Defendants in this Case were previously named in N.D. Ill. No. 24-cv-12057 (the “Prior Case”), which remains pending. Plaintiff filed the present Case with the dropped claims against a subset of Defendants from the Prior Case to comply with that Court’s position on joinder. When filing this Case, and to be transparent with the Court, Plaintiff indicated that the Prior Case was a “related case”² on the Civil Cover Sheet. [4]. Plaintiff is trying to move forward with its claims

¹ Plaintiff is submitting this supplement to its Motion for Entry of an *Ex Parte* Temporary Restraining Order [14] to address issues previously raised by this Court.

² While the cases are related, the defendants in the Prior Case as amended and this Case are not the same. As such, this does not squarely fit within the guidelines of Local Rule 40.3 which provides, in part, “when a case is dismissed with prejudice or without, and a second case is filed involving the same parties and

against Defendants in this Case since those claims were not joined in the Prior Case. Additionally, even though Plaintiff indicated this case was “related” to the Prior Case, this Case was not assigned to the calendar of Judge Sara L. Ellis and was instead assigned to this Court.

Considering the above, Plaintiff respectfully requests that this Case remain on the calendar of this Court. Alternatively, Plaintiff requests that Defendant Nos. 54, 55, 56, 57, 58, 59, 63, 65, 67, 76, 77, 79, 80, 82, 83, 88, 89, 92, 95, 96, 97, 98, 103, 106, 107, 109, 110, 111, 112, and 113 be severed into thirty new cases, and that those cases be assigned to Judge Sara L. Ellis. The remaining Defendants can be dismissed without prejudice.

Dated this 17th day of December 2024.

Respectfully submitted,

/s/ Justin R. Gaudio

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relating to the same subject matter, the second case shall be assigned to the judge to whom the first case was assigned.” L.R. 40.3(b). *See Berthold Types Ltd. v. Adobe Sys. Inc.*, 242 F.3d 772, 777 (7th Cir. 2001) (Rule 41(a) “does not speak of dismissing one claim in a suit; it speaks of dismissing ‘an action’—which is to say, the whole case.”); *see also Taylor v. Brown*, 787 F.3d 851, 857 (7th Cir. 2015); *Cua v. Corsolutions Med., Inc.*, 2005 U.S. Dist. LEXIS 14176, at *3-4 (N.D. Ill. July 13, 2005) (“the operative word in L.R. 40.3(b)(2) is case. A case and a claim are not the same”).